



U.S. Department of Justice

*United States Attorney
District of New Hampshire*

*Federal Building
55 Pleasant Street
Concord, New Hampshire 03301*

603/225-1552

MEDIA RELEASE
For Immediate Release
August 18, 2004

Contact: Thomas P. Colantuono
United States Attorney
Gretchen Witt
Chief, Civil Division
Linda Tomlinson
Media Relations
(603) 225-1552
www.usdoj.gov/usao/nh

LACONIA PHYSICIAN PAYS FOR FILING FALSE MEDICARE CLAIMS

CONCORD, NEW HAMPSHIRE – United States Attorney Tom Colantuono and Special Agent in Charge of the Department of Health and Human Services Office of the Inspector General Boston Field Office Joseph C. Moraski announced today that Dr. Henry Lewis, a Laconia physician, has agreed to pay \$100,000.00 to the United States in civil damages and penalties, to settle allegations that he violated federal law and regulations by filing false claims to Medicare for patient services between March 1, 1993, and December 31, 1998. During the time in question, Dr. Lewis maintained a medical office practice in Laconia, New Hampshire, where he specialized in a urology practice.

According to U.S. Attorney Colantuono, the United States alleges in a Complaint filed in the U.S. District Court in Concord that, based upon claims submitted by Dr. Lewis to Medicare, between March 1, 1993, and December 31, 1998, Medicare paid Dr. Lewis for the medication Lupron, which he administered to certain of his patients covered by the Medicare Program. The Complaint alleges that Dr. Lewis sought payment from Medicare for the Lupron by falsely stating on the claim forms that he had purchased the medicines from the manufacturer, when, in fact, those Lupron dosages were provided as free samples by the manufacturer. The Complaint further alleges that such claims were not reimbursable under Medicare regulations, thereby causing Medicare to overpay Dr. Lewis at least \$30,000.

The Complaint against Dr. Lewis was filed under the Civil False Claims Act, 31 U.S.C. §§ 3729-3733, which allows the United States to recover up to triple the amount of actual damages caused by the false claims and civil penalties of up to \$11,000.00 for each false claim. A Consent Decree between the parties to the case, which contains the terms of the settlement, was filed for the Court's approval at the time of the filing of the Complaint.

U.S. Attorney Colantuono stated: "The monetary amount imposed in this case should

serve as a clear warning that providers must be aware of the appropriate and necessary actions they must take to prevent false claims and fraud under the Civil False Claims Act.”

U.S. Attorney Colantuono commended the responsible officials at HHS Office of Investigations, headquartered in Boston, Massachusetts, for their efforts in conducting and completing this investigation. This case was handled by Assistant U.S. Attorney Gretchen Witt, Chief of the Civil Division.

* * *